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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRITTA BREWER; STACEY MADAMBA,
TARRY and NANCY MILLER, husband and
wife, on behalf of themselves and all others
similarly situated ,

Plaintiffs,

v.

BANK OF AMERICA, N.A. and BAC HOME
LOANS SERVICING, LP,

Defendants.

Case No. 3:10-cv-01884-JSW

**STIPULATION REGARDING
BRIEFING SCHEDULE ON
DEFENDANTS' MOTION TO DISMISS**

Courtroom: 11 – 19th Floor
Judge: Hon. Jeffrey S. White

On August 2, 2010, this Court entered an Order Setting Briefing Schedule on defendants' motion to dismiss, Dkt. No. 25. This Order set the matter for hearing on October 1, 2010 and schedules plaintiffs' opposition to the motion due on August 16, 2010, and defendants' reply due on August 23, 2010.

Previously, on July 1, 2010, the Court issued a scheduling order based on the parties' Stipulation regarding the briefing schedule on the motion. *See* Dkt. No. 21. This order set the date

for plaintiffs' opposition brief for August 27, 2010 and defendants' reply for September 10, 2010. The parties have planned their schedules around responding to the briefs on the dates set forth in the Court's July 1, 2010 Order. The parties therefore jointly request that the Court modify the Scheduling Order of August 2, 2010 such that the briefing schedule remains as previously ordered. The parties will make themselves available for hearing on October 1, 2010 or such other date that the Court orders.

The parties further suggest that the case management conference currently scheduled for September 17, 2010 at 1:30 p.m. be rescheduled to coincide with the hearing on Defendants' motion to dismiss on October 1, 2010 or such other date that the Court orders.

IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants, through their respective counsel, that the briefing schedule on defendants' motion to dismiss shall remain as stated in the Court's July 1, 2010. Plaintiffs shall have until August 27, 2010 to file and serve their Opposition to Defendants' Motion to Dismiss. Defendants shall have until September 10, 2010 to file and serve their Reply to any such Opposition.

DATED: August 4, 2010

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Attorneys for Defendants

[PROPOSED] ORDER

Pursuant to the Parties' Stipulation Regarding Briefing Schedule on Defendants' Motion to Dismiss filed on August 4, 2010, and for good cause having been shown, IT IS HEREBY ORDERED THAT:

1. Plaintiffs shall have until on or before August 27, 2010 to file and serve their Opposition to defendants' motion to dismiss; and
2. Defendants shall have until on or before September 10, 2010 to file and serve their Reply to the Opposition.
3. The case management conference is continued to October ²²~~1~~, 2010.

DATED: August 5, 2010 _____


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE